

tumor or cancer characterized by overexpression or activation of ErbB2, wherein the tumor is selected from the group consisting of a liver tumor, colorectal tumor, prostate tumor, pancreatic tumor, vulval tumor, thyroid tumor, hepatic tumor, sarcoma, glioblastoma, head and neck tumor, leukemia and lymphoid malignancy.

68. (NEW) An article of manufacture comprising a container with an anti-ErbB2 antibody contained within the container and a label which indicates that the anti-ErbB2 antibody can be combined with a growth inhibitory agent to treat a tumor or cancer characterized by overexpression or activation of ErbB2, wherein the growth inhibitory agent is a vinca.--

#### REMARKS

The specification is amended herein to update the claim to priority, fix typographical errors and add the new ATCC address.

Claims 1-41 have been replaced by claims 42-68 herein which find specification basis *at least* as follows:

claim 42 - page 49, lines 12-17 and page 7, lines 1-20

claims 43-54 - page 49, lines 15-17

claims 55 and 65 - page 13, lines 1-7

claims 56 and 66 - page 12, lines 24-31; page 51, lines 14-15

claim 57 - page 49, lines 25-26

claim 58 - page 49, lines 25-28 and page 50, lines 2-13

claim 59 - page 49, lines 27-28

claim 60 - page 20, lines 7-14

claim 61 - page 50, lines 8-9

claim 62 - page 20, lines 15-24

claim 63 - page 49, line 12 through to line 13 on page 50 and page 20, line 20

claim 64 - page 20, lines 10-11 and 20

claim 67 - new claim 42 and original claim 41

claim 68 - new claim 63 and original claim 41

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